

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Kost, James
FOR : SPREADER SHIELD
SERIAL NO. : 10/040,825
FILED : 01-08-2002
PATENT NO. : 6,793,154
ISSUE DATE : 09-21-2004
ATTORNEY DOCKET NO. : 20720.42878

Confirmation No.: 2644
Customer #26781

CERTIFICATE OF MAILING

I hereby certify that this **APPLICATION TO WITHDRAW AS ATTORNEY OF RECORD ACCORDING TO 37 C.F.R. § 1.36** is being deposited via EFS-Web electronic filing to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the following date:

3-31-08
Date

/s/ Cheryl A. Martin
Cheryl A. Martin

APPLICATION TO WITHDRAW AS ATTORNEY OF RECORD
ACCORDING TO 37 C.F.R. § 1.36

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.36, the undersigned, Heather M. Barnes, Esq., and all attorneys associated with the law firm of Brouse McDowell, hereby request permission to withdraw as attorneys herein.

Three former Brouse McDowell attorneys, Roger D. Emerson, Daniel A. Thomson, and Timothy D. Bennett, formed their own law firm Emerson, Thomson & Bennett. Subsequently, the client terminated its relationship with Brouse McDowell and requested its files be transferred to Emerson, Thomson & Bennett. Pursuant to the mandatory withdrawal provisions of 37 C.F.R. § 10.40(b)(4), Brouse McDowell and the undersigned individually, and on behalf of the attorneys at Brouse McDowell, request that the attorneys listed under customer number 26781 be removed as attorneys of record.

I have delivered to Applicant's new counsel the file for which I was responsible and information they have given to me. Thereby, I have effectively empowered them to carry on prosecution of the patent. Therefore, I believe I have complied with all the obligations placed upon me by the U.S. Patent and Trademark Office to allow such withdrawal and believe I am entitled to the application requested.

We are withdrawing the following contact information:

Brouse McDowell
388 South Main Street
Suite 500
Akron, OH 44311

Phone: 330-535-5711
Fax: 330-253-8601

E-mail: iplaw@brouse.com
Customer No.: 26781

Please send all further correspondence directly to Applicant at the following address:

Emerson, Thomson & Bennett
777 West Market Street
Akron, Ohio 44303
Phone: 330-434-9999
Fax: 330-434-8888
E-mail: dat@emersonthomson.com

Respectfully submitted,

BROUSE McDOWELL

3-31-08
Date

/s/ Heather M. Barnes
Heather M. Barnes, Esq.
Reg. No. 44,022

Telephone No.: (330) 535-5711
Fax No.: (330) 253-8601

Customer #26781

TO: JEFF HEINZ

LISA DEL GROSSO

DIANE MURPHY

FROM: ANDY OUTCALT

20720 CMEYER PRODUCTS

20718 SWENSON

20722 FOLLANSBEE

20714 LOUIS BERKMAN

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February 29, 2008

Andrew L. Outcalt
President
Louis Berkman Winter Products Company
18513 Euclid Avenue
Cleveland, OH 44112-1084
United States of America

Robert F. Schultz
Divisional VP/General Counsel
Louis Berkman Winter Products Company
USX Tower
Suite 4600
600 Grant Street
Pittsburgh, PA 15219

Dear Andy and Bob:

I am leaving Brouse McDowell and, along with my partners Dan Thomson and Tim Bennett, am forming the law firm of Emerson, Thomson & Bennett. Both Brouse McDowell and Emerson, Thomson & Bennett want to ensure there is no disadvantage to you or your legal matters because of my move. Either firm is available to handle your intellectual property matters for which I have been responsible -- currently and in the future. The decision about how your legal matters are handled, whether they stay with Brouse McDowell, go with me to Emerson, Thomson & Bennett, or are directed to another attorney or law firm, is entirely yours.

Would you please take a minute to complete the enclosed form and fax it back to me at 330-434-8888 and to Brouse McDowell at 330-253-8601? If you wish, you can email it to me at roger.emerson@emersonthomson.com. Your early response will help us continue to take good care of your matters? If you have any questions about this matter or the status of your legal matters please contact me at 330-434-9999 or Lisa Del Grosso (Brouse McDowell's attorney) at 330-535-5711.

Sincerely,

Roger D. Emerson, Esq.

X

I direct that all our files, both the physical and electronic files, be transferred to Roger D. Emerson at Emerson, Thomson & Bennett, 777 West Market Street, Akron, Ohio 44303 or made available for pick up by Roger Emerson. I understand and acknowledge that Brouse McDowell will assume no further professional responsibility for these matters after the date hereof. I further understand and acknowledge that I am responsible for payment of all fees and cost incurred by Brouse McDowell.

I want direct that my legal matters should continued to be handled by and the files to remain at Brouse McDowell.

Date: 3/2/08

By:


Andrew L. Outcalt, President
Louis Berkman Winter Products Company